

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

APPLICANTS: Wolfgang S. Hammersmith, Lance R. Gaines, Rod
G. Nicholls, and Byron T. Shank

APPLICATION NO.: 10/624,658

FILING DATE: July 21, 2003

TITLE: Cryptographic Key Distribution Using Key
Unfolding

EXAMINER: not yet known

GROUP ART UNIT: 2131

ATTY. DKT. NO.: 61660-08127

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, Office of Initial Patent Examination, Customer Service Center, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below:

Dated:

Nov-6, 2003

By:

Edward J. Radlo

Edward J. Radlo, Reg. No.: 26,793

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REQUEST FOR CORRECTED FILING RECEIPT

SIR:

Enclosed is a copy of the Official Filing Receipt. It contains the following errors:

1. The Domestic Priority data as claimed by applicant incorrectly states: **This appln claims benefit of 60/397,113 07/19/2002.** The correct priority claim should read: **This appln claims benefit of 60/397,113 07/19/2002 and of 10/622,338 07/18/2003,** as evidenced by the Combined Declaration and Power of Attorney submitted with the original patent application and the

Preliminary Amendment A mailed on October 9, 2003. A copy of each of these documents is enclosed.

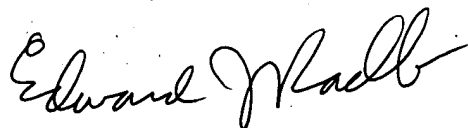
2. The title of the invention is incorrectly stated as **Cryptographic key distribution using key upfolding**. The correct title is: **Cryptographic Key Distribution Using Key Unfolding**, as evidenced by the New Utility Patent Application Transmittal submitted with the original patent application. A copy of said New Utility Patent Application Transmittal is enclosed.

Please issue a corrected Filing Receipt rectifying these errors.

Respectfully submitted,

date of signature:

Nov-6, 2003



Edward J. Radlo
Reg. No.: 26,793
Attorney for Applicants

Fenwick & West LLP
Silicon Valley Center
801 California Street
Mountain View, CA 94041
Tel.: (650) 335-7142

enclosures

cc: R. Nicholls (w/encl.)

61660/08127/DOCS/1389550.1



UNITED STATES PATENT AND TRADEMARK OFFICE

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NOV 10 2003

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATSV DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/624,658	07/21/2003	2131	375	61660-08127	2	20	3

00758
 FENWICK & WEST LLP
 SILICON VALLEY CENTER
 801 CALIFORNIA STREET
 MOUNTAIN VIEW, CA 94041

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OCT 27 2003
 OCT 27 2003

FENWICK & WEST LLP

CONFIRMATION NO. 7014

FILING RECEIPT



OC000000011076634

Date Mailed: 10/22/2003

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Wolfgang S. Hammersmith, Seattle, WA;
 Lance R. Gaines, Orting, WA;
 Rod G. Nicholls, Seattle, WA;
 Byron T. Shank, La Grange, IN;

Domestic Priority data as claimed by applicant

This appln claims benefit of 60/397,113 07/19/2002

Foreign Applications

If Required, Foreign Filing License Granted: 10/21/2003

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ****

Title

Cryptographic key distribution using key upfolding

Preliminary Class

380

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

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No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

Please type a plus sign (+) inside this box → ☐

PTO/SB/05 (08-00) (modified)

Approved for use through 9/30/2001, OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

**NEW UTILITY
PATENT APPLICATION
TRANSMITTAL**

(only for new nonprovisional applications under

37 CFR 1.53(b))

Attorney Docket Number	61660-08127
First Named Inventor	Wolfgang S. Hammersmith
Title	CRYPTOGRAPHIC KEY DISTRIBUTION USING KEY UNFOLDING
Express Mail Label No.	EV 338300997 US

APPLICATION ELEMENTS

1. ☒ Fee Transmittal Form (in duplicate)
2. ☒ Applicant claims small entity status.
See 37 CFR 1.27
3. ☒ Specification Total Pages
(preferred arrangement set forth below)
 - ☒ Descriptive Title of the Invention
 - ☒ Cross Reference(s) to Related Case(s)
 - ☒ Statement Regarding Fed sponsored R & D
 - ☒ Background of the Invention
 - ☒ Brief Summary of the Invention
 - ☒ Brief Description of the Drawing(s)
 - ☒ Detailed Description
 - ☒ Claim or Claims
 - ☒ Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) Total Sheets
5. Combined Declaration and Power of Attorney
 - a. ☒ New Declaration Total Pages
☐ Executed (original or copy)
 - b. ☐ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
 - i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s)
named in the prior application, see 37 CFR
1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

ACCOMPANYING APPLICATION PARTS

7. ☐ Assignment Papers (cover sheet & document(s))
8. ☐ Certified Copy of Priority Document(s) (if foreign priority
is claimed)
9. ☐ Power of Attorney or Authorization of Agent
10. ☐ 37 CFR 3.73(b) Statement
11. ☐ Preliminary Amendment
12. ☐ Information Disclosure Statement & PTO/SB/08A
☐ Copies of IDS Citation(s)
13. ☐ Nonpublication Request under 35 U.S.C. 122
(b)(2)(B)(i). Applicant must attach form
PTO/SB/35 or its equivalent
14. ☒ Return Postcard
15. ☐
16. ☐
17. ☐

ADDRESS TO:

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Alexandria, VA 22313-1450

18. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information below and in a preliminary amendment or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application No: /not yet known

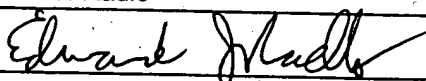
Prior application information: Examiner: not yet known Group/Art Unit: not yet known

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuing or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☒ Customer Number

00758

Name (Print/Type)	Edward J. Radlo	Registration No. (Attorney/Agent)	26,793
Signature		Date	July 21, 2003

61660/01000/DOCS/1364620.1



COMBINED DECLARATION (37 CFR 1.63) AND POWER OF ATTORNEY FOR UTILITY OR DESIGN PATENT APPLICATION <input checked="" type="checkbox"/> Declaration Submitted with Initial Filing OR <input type="checkbox"/> Declaration Submitted after Initial Filing	U.S. Department of Commerce Patent and Trademark Office	
	Attorney Docket Number	61660-08127
	First Named Inventor	Wolfgang S. Hammersmith
	COMPLETE IF KNOWN	
	Application Number	not yet known
	Filing Date	July 21, 2003
	Group Art Unit	not yet known
Examiner Name	not yet known	

As a below named inventor, I hereby declare that:
My residence, mailing address, and citizenship are as stated below next to my name.
I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:
CRYPTOGRAPHIC KEY DISTRIBUTION USING KEY UNFOLDING
the specification of which (Title of the Invention)
☒ is attached hereto
OR
☐ was filed on (MM/DD/YYYY) as United States Application Number
I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.
I acknowledge the duty to disclose information which is material to patentability as defined in Title 37 Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code § 119 (a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365 (a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority	Certified Copy Attached?	
			Not Claimed	YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

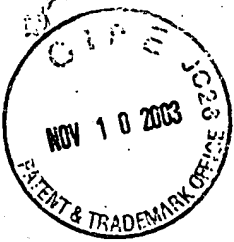
☐ Additional foreign application numbers are listed on a supplemental priority sheet attached hereto:

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental sheet attached hereto.
60/397,113	07/19/2002	

DECLARATION				Page 2									
<p>I hereby claim the benefit under Title 35, United States Code § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.</p>													
U.S. Parent Application Number	PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)										
not yet known		07/18/2003											
<input type="checkbox"/> Additional U.S. or PCT international application numbers are listed on a supplemental priority sheet attached hereto.													
<p>As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 40%;">Name</th> <th style="width: 10%;">Registration Number</th> <th style="width: 40%;">Name</th> <th style="width: 10%;">Registration Number</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">Edward J. Radlo Jeffrey Brill</td> <td style="text-align: center;">26,793 51,198</td> <td style="text-align: center;">Michael W. Farn Nathan Huynh</td> <td style="text-align: center;">41,015 53,052</td> </tr> </tbody> </table>						Name	Registration Number	Name	Registration Number	Edward J. Radlo Jeffrey Brill	26,793 51,198	Michael W. Farn Nathan Huynh	41,015 53,052
Name	Registration Number	Name	Registration Number										
Edward J. Radlo Jeffrey Brill	26,793 51,198	Michael W. Farn Nathan Huynh	41,015 53,052										
<input type="checkbox"/> Additional attorney(s) and/or agent(s) named on a supplemental sheet attached hereto.													
<p>Please direct all correspondence to:</p> <p style="text-align: center;">Edward J. Radlo Fenwick & West LLP Silicon Valley Center 801 California Street Mountain View, CA 94041 U.S.A.</p>													
Telephone		(650) 335-7142		Fax (650) 938-5200									
<p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p>													
Name of Sole or First Inventor:		<input type="checkbox"/> A petition has been filed for this unsigned inventor											
Given Name	WOLFGANG	Middle Initial	S.	Family Name	HAMMERSMITH								
Inventor's Signature		Date											
Residence: City	Seattle	State	WA	Country	U.S.A.								
				Citizenship	USA								
Mailing Address	4507 Pacific Highway East, Suite D												
Mailing Address													
City	Tacoma	State	WA	Zip	98424								
				Country	USA								
<input checked="" type="checkbox"/> Additional inventors are being named on supplemental sheet(s) attached hereto													

DECLARATION					ADDITIONAL INVENTOR(S) Supplemental Sheet				
Name of Additional Joint Inventor, if any:					<input type="checkbox"/> A petition has been filed for this unsigned inventor				
Given Name	LANCE	Middle Initial	R.	Family Name	GAINES	Suffix			
Inventor's Signature						Date			
Residence: City	Orting	State	WA	Country	U.S.A.	Citizenship	USA		
Mailing Address	19507 - 207 th Street Court East								
Mailing Address									
City	Orting	State	WA	Zip	98360	Country	U.S.A.		
Name of Additional Joint Inventor, if any:					<input type="checkbox"/> A petition has been filed for this unsigned inventor				
Given Name	ROD	Middle Initial	G.	Family Name	NICHOLLS	Suffix			
Inventor's Signature						Date			
Residence: City	Seattle	State	WA	Country	U.S.A.	Citizenship	U.S.A.		
Mailing Address	4507 Pacific Highway East, Suite D								
Mailing Address									
City	Tacoma	State	WA	Zip	98424	Country	U.S.A.		
Name of Additional Joint Inventor, if any:					<input type="checkbox"/> A petition has been filed for this unsigned inventor				
Given Name	BYRON	Middle Initial	T.	Family Name	SHANK	Suffix			
Inventor's Signature						Date			
Residence: City	La Grange	State	IN	Country	U.S.A.	Citizenship	USA		
Mailing Address	407 West Michigan Street								
Mailing Address									
City	La Grange	State	IN	Zip	46761	Country	U.S.A.		
Name of Additional Joint Inventor, if any:					<input type="checkbox"/> A petition has been filed for this unsigned inventor				
Given Name		Middle Initial		Family Name		Suffix			
Inventor's Signature						Date			
Residence: City		State		Country		Citizenship			
Mailing Address									
Mailing Address									
City		State		Zip		Country			
<input type="checkbox"/> Additional inventors are being named on supplemental sheet(s) attached hereto									



IN THE

UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Wolfgang S. Hammersmith, Lance R. Gaines, Rod
G. Nicholls, and Byron T. Shank

SERIAL NO.: 10/624,658

FILING DATE: July 21, 2003

TITLE: Cryptographic Key Distribution Using Key
Unfolding

EXAMINER: not yet known

GROUP ART UNIT: not yet known

ATTY. DKT. NO.: 61660-08127

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States
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Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below:

Dated: Oct - 9, 2003

By: Edward J. Radlo

Edward J. Radlo, Reg. No.: 26,793

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

PRELIMINARY AMENDMENT A

SIR:

In connection with the above-identified patent application,
please enter the following preliminary amendment.

SPECIFICATION AMENDMENTS

Please replace the paragraph appearing on page 1, lines 6 through 15, with the following:

Related Applications

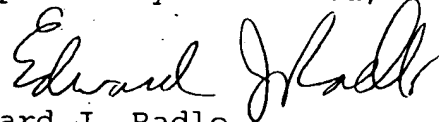
This patent application claims priority upon U.S. provisional patent application serial no. 60/397,113 filed July 19, 2002, entitled "Key Folding Process for Cipher Systems", and upon commonly assigned U.S. utility patent application serial no. 10/622,338, filed July 18, 2003, entitled "Cryptographic Key Distribution Using Key Folding", which patent applications are hereby incorporated by reference in their entireties into the present patent application.

REMARKS

When the present patent application was filed on July 21, 2003, Applicants had no way of knowing the serial number of the priority U.S. utility patent application filed on July 18, 2003 that is referenced on page 1 of the present specification. Now that Applicants do know said serial number, they are hereby incorporating it into page 1 at line 11. Additionally, Applicants are amending the heading of this paragraph to "Related Applications" (plural) to indicate that there are two priority documents referenced in said paragraph. Thus, the two priority claims have now been perfected.

Applicants believe that this application is in condition for allowance of all claims herein, claims 1-20 as written, and therefore an early Notice of Allowance is respectfully requested. If the Examiner disagrees or believes that, for any other reason, direct contact with Applicants' attorney would help advance the prosecution of this case to finality, s/he is invited to telephone the undersigned at the number given below.

Respectfully submitted,



Edward J. Radlo
Attorney for Applicants
Reg. No. 26,793

Fenwick & West LLP
Silicon Valley Center
801 California Street
Mountain View, CA 94041
(650) 335-7142

cc: R. Nicholls

61660/08127/DOCS/1382976.1